



#13/Response 3626
Ellis AF
2-18-04
PATENT
Atty. Docket: 11459/1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

enter
RWM
2/27/04

Applicant(s): Eagle
Serial No.: 09/531,956
Filing Date: March 21, 2000
Title: METHOD AND SYSTEM FOR
SCHEDULING TRAVEL ON A
CHARTER TRANSPORT

Examiner: Morgan, Robert W.

Corres. and Mail

Art Unit: 3626

BOX AF

**REPLY UNDER 37 CFR 1.116
EXPEDITED PROCEDURE**

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REPLY TO FINAL OFFICE ACTION

Sir:

In response to the Final Office Action of November 28, 2003 in the above-referenced application, the Applicant submits the following remarks.

REMARKS

Claims 120-128 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,085,169 to Walker, et al. ("Walker") in view of an article entitled "Air Charters Fly To Internet" by David Jonas ("Jonas"). Applicant respectfully traverses this rejection.

Claim 120 recites a reservation system for private aircraft, in which an individual passenger reservation bid is accepted and the "flight availability" of a private aircraft is reserved, if the reservation system "has matched a number of reservation bids with said flight availability such that [a] minimum total payment requirement is met." The Examiner asserts that *Walker* teaches this limitation. Office Action at 2 (citing *Walker* at column 6, lines 23-30). Applicant respectfully disagrees. While *Walker* appears to describe a technique whereby commercial airlines may submit conditional purchase offer (CPO) rules, *Walker's* aircraft always fly the route specified by the commercial airline. *Walker* fails to show that aircraft are reserved to fly only when a "minimum total payment requirement is met," based on the reservation system having matched a sufficient number of individual reservation bids to the aircraft owner's specified flight